



12/22/03

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GENO200.2CIP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER ET AL. )  
SERIAL NO.: 09/942,252 ) ART UNIT:  
FILED: AUGUST 28, 2001 ) EXAMINER:  
FOR: METHODS TO IDENTIFY POLY- ) CONF. NO.: 6811  
NUCLEOTIDE AND POLY PEPTIDE )  
SEQUENCES WHICH MAY BE )  
ASSOCIATED WITH PHYSIOLOGICAL )  
AND MEDICAL CONDITIONS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF  
NOTICE OF ABANDONMENT UNDER 37 CFR 1.53(f) OR (g)

Dear Sir:

In regard to the referenced application and the Notice of Abandonment of December 9, 2003, Applicants respectfully point out that a timely and proper response to the April 4, 2002 Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, was submitted by the undersigned on April 15, 2002. The response included a new sequence listing in computer readable form (CRF) and a Statement under 37 CFR 1.821(f). A copy of both the Notice to Comply with Requirements for Patent Applications of April 4, 2002, and the response of April 15, 2002 (including CRF), are enclosed herewith. Also enclosed is a PTO stamped return postcard dated April 22, 2002.

In view of the foregoing, it is respectfully requested that the Notice of Abandonment of December 9, 2003 be withdrawn or rescinded.

It is believed that no fee is due with this submission. If this is in error, please charge any necessary fees to Deposit Account No. 19-5117.

Respectfully submitted,

Dec 19 2003  
Date

*Margaret M. Wall*  
Margaret M. Wall, #33,462  
Swanson & Bratschun, LLC  
1745 Shea Center Drive, #330  
Highlands Ranch, CO 80129  
303-268-0066

cc: G. Orndorff w/ encls.  
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Attorney Docket: GENO200.2/CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER *ET AL.*

SERIAL NO.: 09/942,252

FILED: AUGUST 28, 2001

TITLE: METHODS TO IDENTIFY POLYNUCLEOTIDE AND  
POLYPEPTIDE SEQUENCES WHICH MAY BE  
ASSOCIATED WITH PHYSIOLOGICAL AND  
MEDICAL CONDITIONS

EXAMINER:

ART UNIT:

CNFRM NO.: 6811

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202  
Box SEQUENCE

COPY

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Dear Sir:

Enclosed is a computer readable form of the SEQUENCE LISTING for the above-identified application submitted under 37 C.F.R. § 1.821(e). A paper copy of the SEQUENCE LISTING has been submitted under 37 C.F.R. § 1.821(c).

I hereby state that the contents of the disk and the paper copy are the same. 37 C.F.R. § 1.821(f).

The paper and disk copies of the SEQUENCE LISTING include no new matter. 37 C.F.R. § 1.821(g).

Respectfully submitted,

Margaret M. Wall  
Margaret M. Wall, #33,462  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
(303) 268-0066

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Arlington, VA 22202 on 9/15/01

Signature: Tasha L. Cove

Name: Tasha L. Cove

S:\CLIENT FOLDERS\EVOLUTIONARY GENOMICS\200-2\CIP\SEQUENCE STATEMENT.DOC



COPY

DATE: April 15, 2002

APPLICANT: Messier et al.

SERIAL NO: 09/942,252

FOR: Methods To Identify Polynucleotide And Polypeptide  
Sequences Which May Be Associated With Physiological  
And Medical Conditions

**RECEIPT IS HEREBY ACKNOWLEDGED OF:**

Statement Under 37 C.F.R. § 1.821(f): (1pg)  
Sequence Listing in Computer Readable Form: (1 disk)

Docket: GENO 200.2/CIP

**BEST AVAILABLE COPY**



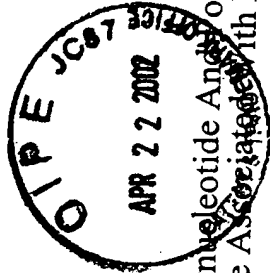
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DATE: April 15, 2002

APPLICANT: Messier et al.

SERIAL NO: 09/942,252

FOR: Methods To Identify Polynucleotide And Polypeptide Sequences Which May Be Associated With Physiological And Medical Conditions



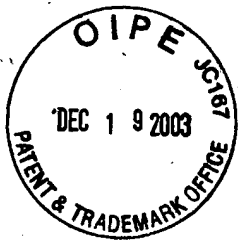
**RECEIPT IS HEREBY ACKNOWLEDGED OF:**

Statement Under 37 C.F.R. § 1.821(f): (1pg)

Sequence Listing in Computer Readable Form: (1 disk)

Docket: GENO 200.2/CIP

BEST AVAILABLE COPY



Attorney Docket: GENO200.2/CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER *ET AL.*  
SERIAL NO.: 09/942,252  
FILED: AUGUST 28, 2001  
TITLE: METHODS TO IDENTIFY POLYNUCLEOTIDE  
AND POLYPEPTIDE SEQUENCES WHICH MAY  
BE ASSOCIATED WITH PHYSIOLOGICAL AND  
MEDICAL CONDITIONS  
EXAMINER:  
ART UNIT:  
CNFRM NO.: 6811

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202  
Box SEQUENCE

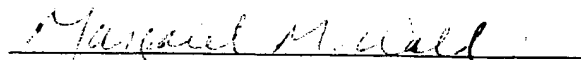
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TRANSMITTAL LETTER

Sir:

Applicant hereby submits, in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed April 4, 2002, a disk containing a computer readable form of the sequence listing in the above-referenced application and a Statement Under 37 C.F.R. § 1.821(f).

Respectfully submitted,

  
Margaret M. Wall, #33,462  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
Telephone: (303) 268-0066  
Facsimile: (303) 268-0065

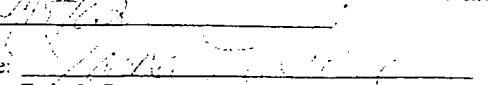
cc: Ginny Orndorff

S:\CLIENT FOLDERS\EVOLUTIONARY GENOMICS\200-2\CIP\SEQ TRANSMITTAL LETTER.DOC

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Arlington, VA 22202 on 10/2/02

Signature:   
name: Tasha L. Cove